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SIPDIS

ATHENS FOR DHS
DEPT FOR INL/HSTC
DEPT PASS NPC PORTSMOUTH

SENSITIVE

SIPDIS

E.O. 12958
TAGS: [ASEC](#) [CVIS](#) [CPAS](#) [KFRD](#) [KCRM](#) [SY](#) [IZ](#) [IR](#)
SUBJECT: CONSULAR OPERATIONS IN A STATE SPONSOR OF
TERRORISM - EMBASSY DAMASCUS

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REFS:

- A) 06 DAMASCUS 5454
- B) DAMASCUS 001
- C) DAMASCUS 005
- D) DAMASCUS 012
- E) DAMASCUS 765
- F) DAMASCUS 306
- G) DAMASCUS 617
- H) DAMASCUS 773
- I) DAMASCUS 272
- J) 06 DAMASCUS 3193
- K) DAMASCUS 274

NOTE: THIS TELEGRAM REPLACES DAMASCUS 796, DTG 070646Z
AUG 07 WHICH WAS TRANSMITTED WITH ERRORS.

1. (SBU) Summary: Consular Operations at Embassy
Damascus are impacted by the fact that the Syrian Arab
Republic is a State Sponsor of Terrorism, as well as
by our growing Iraqi workload. This cable focuses on
the salient features of conducting consular work in
this special environment. End Summary.

¶2. (SBU) Syria has been on the State Sponsor of Terrorism list for longer than any other country, having been named at the list's inception in 1979. This dubious distinction presents many difficulties for completing even basic consular functions. Furthermore, the Consular Section provides services to an increasing number of Iraqi applicants who present a separate set of challenges.

American Citizen Services

¶3. (SBU) The lack of positive bilateral relations is an obstacle to our American Citizen Services operations. We have not received consular notification of an arrest in 20 years. Each piece of information on arrested Americans comes from the grape vine, as often someone who knows someone who saw someone being taken away calls us because they met someone once who had the same problem. When requesting consular access, we must submit a diplomatic note, to which a reply only comes, if at all, after weeks or months, and usually does not grant us access. Many of our arrested AmCits are jailed and released without us ever having been able to visit. Charges against the same detainee can change day to day, and sometimes a prisoner is held without any charges being filed at any point.

¶4. (SBU) One such case is that of a young woman who was held for a week with no charges after her employer's former in-laws accused her of "terrorist

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links" (refs A, B, and C.) When we were finally notified by her employer of the AmCit's detention, ConOff got access by standing on the jail doorstep until she got a promise of access the next day if ConOff would only leave and stop making a scene. Once access was obtained, we were able to get the young AmCit out of the country in fewer than 24 hours.

¶5. (SBU) We also have all too frequent occasions to whisk women out of the country when dealing with domestic disputes. Domestic violence is common and tolerated to a certain extent under Syrian law. AmCit women married to Syrians cannot leave the country without the consent of their husbands or that of one of his male blood relatives. The control mechanism for this consent is the Immigration Service's exit stamp, which is obtained in advance at an Immigration Office.

¶6. (SBU) For AmCit women married to Syrians who have only entered Syria within the previous two weeks, the exit stamp is not necessary. However, the woman's husband can place a travel ban on her. Sometimes we race the clock to get the woman out of Syria before the travel ban goes into effect.

¶7. (SBU) In an interesting twist, we had three LPR wives, with or without status, abandoned by their AmCit husbands with their AmCit children last fall. Feeling that they could use the border difficulties to their advantage, each husband had dropped off his wife and children and either made off with their documents or significantly mutilated them. We were able to return two of the three women to the US with their AmCit children on repatriation loans (to accompany the minor), and even provided a returning residency visa (SB-1) for one who had lost her status because her husband told her he would kill her if she returned to the States. The third woman had funds and eventually returned on her own. In each case, we found legal aid

information on the internet so that they could get pro bono help upon arrival. (See ref D.)

¶8. (SBU) In custody cases, the age at which a child must be returned from the mother's custody to the father's is notionally according to Shari'aa law, but in practice the ages applied in Syria actually favor the mother more than in neighboring countries. Girls return to their father at age 15, boys at age 13. The theory is that after those ages, children need the stronger discipline provided by their fathers. Although a mother may have custody of her children, she cannot take them out of Syria, however, without the written consent of the father or of one of his male blood relatives. In a case where the father is deceased, normal travel can be very complicated for children whose mother has little contact with her in-

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laws.

¶9. (SBU) In exceptional circumstances, such as extreme abuse by the father, a 16-year old boy can be asked if he wants to go back to his mother. However, a 16-year old girl would not be allowed to choose.

¶10. (SBU) Fortunately, we have had relatively few death cases in recent years. Under Islamic practice and Syrian law, burial must take place within three days of death, but customarily, it actually takes place within one day. That means that no cremation facilities are available for non-Moslems and cold storage facilities are extremely limited.

¶11. (SBU) Due to the number of AmCits of dual nationality who are "persons of interest," we have frequent "hits" in the ACS plus system for U.S. Marshall's warrants. For each hit, we must coordinate with the RSO to contact U.S. law enforcement quickly to see if there is an active warrant that would prevent issuance of a service, or if we are only supposed to provide information on the AmCit's travel plans. There is no extradition agreement between Syria and the US.

¶12. (SBU) Having a ticket to travel is not enough to be able to leave Syria. AmCits occasionally are stopped at Immigration on their way out of Syria and asked to visit a branch of police intelligence for questioning. We tell AmCits to let us know before they go in to the office, and after they come out -- just in case they are detained. The questioning AmCits are subjected to can run the gamut from matters regarding religious affiliation (i.e. it is illegal to be a Jehovah's witness in Syria), to issues resulting from unserved military service. Syrian citizenship is indelible and passes via the male line without regard to emigration or naturalization elsewhere. At times, grandparents have registered their grandchildren as Syrian, unbeknownst to the grandchildren or their parents. When a teenage male AmCit who is used to traveling in and out of Syria without incident enters Syria for the first time after age 18, he is stopped for having failed to complete the mandatory military service.

¶13. (SBU) Much as in the Libyan model of children born in the U.S. who were afraid to claim their citizenship because of host country harassment, we are starting to see young men from Iraq and Iran making their first claims for US passports at our Post. See Ref E.

Nonimmigrant Visa Unit

¶14. (SBU) In accordance with Section 306 of the Enhanced Border Security and Visa Reform Act of 2002, the NIV unit sends Security Advisory Opinions (SAOs) for all adult citizens of Syria (both male and female), and most long-term residents of Syria of other nationalities. As a result, the sole full-time NIV officer spends about two hours each day checking, processing, and following up on SAOs. Likewise, the Consular Section as a whole must constantly review SAO procedures.

¶15. (SBU) Another consequence of operations in a State Sponsor of Terrorism is the need to ensure applicants' compliance with National Security Entry and Exit Registration System (NSEERS) requirements, especially obtaining an exit stamp from CBP before leaving the US. Testimony of applicants, consultations by ConOffs with DHS, and the experiences of several locally employed staff (LES) have shown that these stamps can be difficult to obtain, often because the offices that provide them have moved, have improper signage, are located in out-of-the-way parts of airports, or keep odd hours. To improve compliance, the NIV unit researched the current locations of NSEERS offices in major airports, and created an English- and Arabic-language handout, which was distributed throughout NEA. The English link is damascus.usembassy.gov/special-registration.html. (See ref F.) Furthermore, the Consular Section, with the help of summer hires, has produced its own in-house video to explain fingerprinting, 214B and NSEERS to our captive waiting room audience in English and Arabic. Both the script and the video are available by writing to nivdamascus@state.gov.

¶16. (SBU) NIV, as the other units, is affected by the influx of Iraqis into Syria. For July 2007, over ten percent of our NIV case load was Iraqi nationals, many of whom had to acquire new passports just to apply for NIVs. The majority did not overcome 214B, as their status in Syria is only temporary.

IMMIGRANT VISAS

¶17. (SBU) The Immigrant Visa Unit at Embassy Damascus is the only immigrant visa unit in a U.S. Embassy in a country designated as a State Sponsor of Terrorism by the United States Department of State. For calendar year 2006, the IV section issued more than 1700 immigrant visas and expects that number to increase in 2007 with the additional Iraqi caseload. As it becomes increasingly difficult for Iraqi citizens to enter Jordan and Egypt, we are receiving more requests for IV file transfers from applicants with files at those posts.

¶18. (SBU) Iraqi applicants find Syria in general a convenient place to process their visas. The Syrian government is still recognizing the Iraqi S passport and Iraqis are not required to hold any Syrian visas prior to arrival. Also, the cost of living in Syria is significantly cheaper than in any neighboring country.

¶19. (SBU) The IV Unit also processes Visa 92 and Visa 93 for Iraqis, Somalis and Sudanese, and has handled more than three hundred inquiries in the last six months in person, e-mail, and on the telephone from

Iraqis interested in refugee status in the United States.

¶20. (SBU) Processing immigrant visas in Syria for Syrian applicants can also be difficult. The Syrian Government is often reluctant or completely uncooperative in verifying Syrian civil documents such as marriage, divorce and death certificates. This lack of cooperation with civil authorities makes it very difficult for us to investigate one of the most popular types of immigrant visa fraud in Syria: the sham marriage a.k.a. the sham divorce. It is quite common for a Syrian male never to divorce his Syrian wife, yet go to the United States, marry an American Citizen woman, obtain American citizenship through the marriage to the American citizen, divorce the American citizen and then petition for the Syrian wife and children in Syria to immigrate to the United States.

¶21. (SBU) Additionally, because of Syria's designation as a State Sponsor of Terrorism, Syrian IV applicants receive more scrutiny in the SAO process. All beneficiaries of K1 and K3 visa applications are required to have a Visas Condor and many Syrian applicants must clear additional SAOs prior to issuance. This extra processing requires time and means that many families decide that the wife and children will travel to the United States and the husband or older sons will wait in Syria pending clearances. Sometimes these clearances can take more than a year and in certain cases, the family never receives an approval or a firm denial.

¶22. (SBU) Another quirk of Immigrant Visa processing in Syria is that there are very few Diversity Visas awarded to Syrians. This is likely due to a reluctance of the average Syrian to apply for a Diversity Visa on the internet, which is closely monitored and controlled by the Syrian government. Internet penetration is also surprisingly low.

¶23. (SBU) Due to the increasing difficulty that Iraqis are experiencing to enter Jordan, about 30 of the Special Immigrant Visas (SIVs) for Iraqi Translators

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and Interpreters are scheduled to be sent from NVC to Damascus in FY-2007. We anticipate that this number will increase as other applicants are unable to enter Jordan. (Note: Approximately 480 SIV files are currently scheduled to be sent to Embassy Amman.)

FRAUD PREVENTION UNIT

¶24. (SBU) The SARG requires that all FPU Damascus inquiries for document verification go through the Ministry of Foreign Affairs (MFA) and since it can take months to receive responses, FPU is obliged to send multiple diplomatic notes for follow-up. It is impossible to liaise directly with Immigration, the Police and other SARG entities with any regularity. Post has learned to rely heavily on local FPU meetings with consular colleagues from other foreign missions in Damascus and Amman to compare trends, share fraudulent documents and support each other while working in this inhospitable environment.

¶25. (SBU) The majority of FPU's workload deals with IV cases, specifically Iraqi cases. While Embassy Damascus is not an Iraqi processing post, the number of Iraqi cases has risen significantly due to transfer cases from Amman and Cairo. FPU works closely with the IV unit to ensure that all Iraqi documents are reviewed by the FPU officer or LES. Verification of

Iraqi documents is extremely difficult. (See ref G.) Over the last six months, the FPU unit has discovered several counterfeit/altered S series passports, one H series passport and one fake G series passport. (See ref H.)

¶26. (SBU) No one document, not even a G passport, stands alone but rather is compared with other documents received from the applicant. One possible fraud indicator is when documents do not look their age when compared to other identity documents presented. For example, when reviewing the case of a young girl and looking specifically at her passport, identity card and citizen certificate, the identity card looked perfect with no glaring errors except that it looked older than the passport and citizen certificate which were all issued five years before the identity documents.

¶27. (SBU) FPU has had difficulty receiving reliable confirmation from the Iraqi Embassy in Damascus on fraudulent or altered documents. It is not uncommon for the Consular section at the Iraqi Embassy to confirm that a document is fraudulent and then recant their decision after speaking with the applicant. As a result, the FPU has had to develop a significant subspecialty in Iraqi documents.

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¶28. (SBU) Frequently, Iraqi IV beneficiaries cannot describe the most basic events surrounding his/her engagement or marriage. The majority of Iraqi cases we see are not the traditionally arranged marriages that occur in Syrian cases - where the applicant knows about the petitioner's family, knows the dates of their first meeting, engagement and marriage; or is even from the same family - nor are they love matches which happened over a course of time. This makes for a difficult interview because, when questioned, the applicant either answers "I don't know" or gives very vague answers.

¶29. (SBU) Although ACS fraud is limited, we have had several cases in the past year of Iraqis filing for their own children with fraudulent Syrian birth certificates in order to be able to be processed quickly in Syria, instead of having the file sent to Embassy Baghdad, or for a child whom we believe is not theirs. (See refs I and J.) We have also had what clearly appeared to be an "informal adoption" of twins by a Syrian couple who could not agree on the babies' birth city. (See ref K.) (Note: Adoption is not legal under Shari'aa law. The new Catholic Code of July 2006 legalized the adoption of Catholic babies by Catholics, and quietly, but effectively opened the door for international adoption. The irony is that the couple with the fraudulent CRBA claim appeared to be Catholic. End Note.)

¶30. (SBU) Hitting the open road to verify employment or relationships in Syria is impossible. FPU is able to conduct investigations in Damascus on a very limited basis. In the restrictive environment in which we work, our every move is of interest to Syrian security services. Our LES are questioned regularly, making it unreasonable to put them more in danger by sending them out for field investigations.

AMERICAN CITIZEN/LPR/REFUGEE WALK-IN HOUR

¶31. (SBU) Damascus holds American Citizen Walk-In Hour four days a week. During Walk-In Hour, American citizens, Legal Permanent Residents of the United

States, bearers of Department of Homeland Security Travel Documents, and Iraqi Immigrant Visa Applicants are allowed time to ask immigration questions, file petitions, and request file transfers. On average, we provide services in this category to 60-80 people per week, accounting for at least 12 officer hours.

¶32. (SBU) The most frequently asked questions during American Citizen Walk-In hour deal with petition filing and pending immigrant visa applications.

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However, in the number two spot are Iraqis requesting that their immigrant petition be transferred from Embassy Amman or Embassy Cairo to Embassy Damascus.

¶33. (SBU) We also receive a substantial number of inquiries regarding expired green cards or green cards which are no longer valid because the bearer has been outside the United States for longer than a year. We receive many of these inquiries from Iraqis with either refugee status in the United States or with LPR status who returned to Iraq in 2003 and 2004 and now want to return to the United States. In most cases, their travel documents expired long ago and they have made no prior effort to renew them or address the issue. The individuals generally present stories that are both vague and inconsistent as to the reason they did not return to the United States. In certain limited cases, we can process the individual for a Returning Resident visa (SB-1). However, to the frustration of both the Consular Officer and the Iraqi, in many other cases there is nothing that can be done to return them to the United States. We are left only to give them directions to the already overburdened local office of the United National High Commission on Refugees.

¶34. (SBU) During Walk-In Hour we also receive many questions from Iraqis inquiring about the possibility of obtaining a visa, any visa, to the United States. Unfortunately, most of these people are qualified neither for a nonimmigrant visa nor for an immigrant visa and our only option again is to refer them to the UNHCR. However, at this point there are 110,000 Iraqis registered with the UNHCR in Damascus and most Iraqis know obtaining refugee resettlement is unlikely for them. If the applicant has worked for the U.S. government or a contractor of the US government in Iraq, we provide them with information on refquestions@wrapsnet.org and, if appropriate, the information on self-petitioning for a Special Immigrant Visa (SIV) as an Iraqi translator/interpreter. We have this information linked on our website at: <http://syria.usembassy.gov/refugee.html> and <http://syria.usembassy.gov/siv.html>.

CONCLUSION

¶35. (SBU) The operational realities of having severely limited contact with the host government impacts everything we do. Even our ability to plan for emergencies is affected by the fact that official Americans must apply for their Syrian visas only in Washington and invariably face lengthy waits for

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issuance. Our hurdles with the SARG and our difficulties with our growing Iraqi applicant pool make consular work in Damascus both challenging and

rewarding.

CORBIN